

# SENATE BILL NO. 792

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR BRATTIN.

3156S.01H

KRISTINA MARTIN, Secretary

## AN ACT

To repeal sections 160.665, 170.315, and 590.205, RSMo, and to enact in lieu thereof three new sections relating to school safety.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Sections 160.665, 170.315, and 590.205, RSMo,  
2 are repealed and three new sections enacted in lieu thereof, to  
3 be known as sections 160.665, 170.315, and 590.205, to read as  
4 follows:

160.665. 1. Any school district **or charter school**  
2 within the state may designate one or more [elementary or  
3 secondary school teachers or administrators] **employees of**  
4 **the district or charter school** as a school protection  
5 officer. The responsibilities and duties of a school  
6 protection officer are voluntary and shall be in addition to  
7 the normal responsibilities and duties of the [teacher or  
8 administrator] **employee**. Any compensation for additional  
9 duties relating to service as a school protection officer  
10 shall be funded by the local school district, with no state  
11 funds used for such purpose.

12 2. Any person designated by a school district **or**  
13 **charter school** as a school protection officer shall be  
14 authorized to carry concealed firearms or a self-defense  
15 spray device in any school in the district. A self-defense  
16 spray device shall mean any device that is capable of  
17 carrying, and that ejects, releases, or emits, a nonlethal

**EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

18 solution **or projectile** capable of incapacitating a violent  
19 threat. The school protection officer shall not be  
20 permitted to allow any firearm or device out of his or her  
21 personal control while that firearm or device is on school  
22 property. Any school protection officer who violates this  
23 subsection may be removed immediately from the classroom and  
24 subject to employment termination proceedings.

25 3. A school protection officer has the same authority  
26 to detain or use force against any person on school property  
27 as provided to any other person under chapter 563.

28 4. Upon detention of a person under subsection 3 of  
29 this section, the school protection officer shall  
30 immediately notify a school administrator and a school  
31 resource officer, if such officer is present at the school.  
32 If the person detained is a student then the parents or  
33 guardians of the student shall also be immediately notified  
34 by a school administrator.

35 5. Any person detained by a school protection officer  
36 shall be turned over to a school administrator or law  
37 enforcement officer as soon as practically possible and  
38 shall not be detained by a school protection officer for  
39 more than one hour.

40 6. Any [teacher or administrator of an elementary or  
41 secondary school] **employee of a school district or charter**  
42 **school** who seeks to be designated as a school protection  
43 officer shall request such designation in writing, and  
44 submit it to the superintendent of the school district **or**  
45 **the executive director of the charter school governing board**  
46 which employs him or her [as a teacher or administrator].  
47 Along with this request, any [teacher or administrator]  
48 **employee** seeking to carry a concealed firearm on school  
49 property shall also submit proof that he or she has a valid

50 concealed carry endorsement or permit, and all [teachers and  
51 administrators] **employees** seeking the designation of school  
52 protection officer shall submit a certificate of school  
53 protection officer training program completion from a  
54 training program approved by the director of the department  
55 of public safety which demonstrates that such person has  
56 successfully completed the training requirements established  
57 by the POST commission under chapter 590 for school  
58 protection officers.

59 7. No school district **or charter school** may designate  
60 [a teacher or administrator] **an employee** as a school  
61 protection officer unless such person has successfully  
62 completed a school protection officer training program,  
63 which has been approved by the director of the department of  
64 public safety. No school district **or charter school** shall  
65 allow a school protection officer to carry a concealed  
66 firearm on school property unless the school protection  
67 officer has a valid concealed carry endorsement or permit.

68 8. Any school district **or charter school** that  
69 designates [a teacher or administrator] **an employee** as a  
70 school protection officer shall, within thirty days, notify,  
71 in writing, the director of the department of public safety  
72 of the designation, which shall include the following:

73 (1) The full name, date of birth, and address of the  
74 officer;

75 (2) The name of the school district; and

76 (3) The date such person was designated as a school  
77 protection officer.

78 Notwithstanding any other provisions of law to the contrary,  
79 any identifying information collected under the authority of  
80 this subsection shall not be considered public information

81 and shall not be subject to a request for public records  
82 made under chapter 610.

83 9. A school district **or charter school** may revoke the  
84 designation of a person as a school protection officer for  
85 any reason and shall immediately notify the designated  
86 school protection officer in writing of the revocation. The  
87 school district **or charter school** shall also within thirty  
88 days of the revocation notify the director of the department  
89 of public safety in writing of the revocation of the  
90 designation of such person as a school protection officer.  
91 A person who has had the designation of school protection  
92 officer revoked has no right to appeal the revocation  
93 decision.

94 10. The director of the department of public safety  
95 shall maintain a listing of all persons designated by school  
96 districts **and charter schools** as school protection officers  
97 and shall make this list available to all law enforcement  
98 agencies.

99 11. [Before a school district may designate a teacher  
100 or administrator] **If an employee submits a request for**  
101 **designation as a school protection officer to the**  
102 **superintendent of the school district or executive director**  
103 **of the charter school governing board,** the school board **or**  
104 **governing board** shall **promptly** hold a public hearing [on]  
105 **and determine by a vote at the hearing** whether to allow such  
106 designation. Notice of the hearing shall be published at  
107 least fifteen days before the date of the hearing in a  
108 newspaper of general circulation within the city or county  
109 in which the school district is located. **The request for**  
110 **designation as a school protection officer shall also**  
111 **require** the school board [may determine at] **or governing**  
112 **board to hold** a closed meeting, as "closed meeting" is

113 defined under section 610.010, **and determine by a vote at**  
114 **the closed meeting** whether to authorize the designated  
115 school protection officer to carry a concealed firearm or a  
116 self-defense spray device. **The school board or governing**  
117 **board shall hold the closed meeting and vote on the issue**  
118 **regardless of whether the employee specifically requested**  
119 **authorization to carry a concealed firearm or a self-defense**  
120 **spray device on school property in his or her request for**  
121 **designation as a school protection officer.**

122       12. Each school district and charter school shall  
123 consider implementing a school protection officer program  
124 consistent with the provisions of this section. The school  
125 board of each school district and governing board of each  
126 charter school shall hold a public hearing and determine by  
127 a vote at the hearing whether to implement such a program.

128       13. Any school board or governing board that approves  
129 a school protection officer program by a vote described in  
130 subsection 13 of this section shall notify all the employees  
131 of the school district or charter school of the program and  
132 the option to request designation as a school protection  
133 officer.

170.315. 1. There is hereby established the Active  
2 Shooter and Intruder Response Training for Schools Program  
3 (ASIRT). Each school district and charter school **[may]**  
4 **shall**, by **[July 1, 2014,] July 1, 2026**, include in its  
5 teacher and school employee training a component on how to  
6 properly respond to students who provide them with  
7 information about a threatening situation and how to address  
8 situations in which there is a potentially dangerous or  
9 armed intruder in the school. Training **[may]** **shall** also  
10 include information and techniques on how to address

11 situations where an active shooter is present in the school  
12 or on school property.

13 2. Each school district and charter school **[may]** **shall**  
14 conduct the training on an annual basis. If no formal  
15 training has previously occurred, the length of the training  
16 may be **up to** eight hours. The length of annual continuing  
17 training may be **up to** four hours.

18 3. All school **[personnel]** **employees** shall participate  
19 in a simulated active shooter and intruder response drill  
20 conducted and led by **current or retired commissioned** law  
21 enforcement professionals. Each drill may include an  
22 explanation of its purpose and a safety briefing. The **drill**  
23 training shall require each participant to know and  
24 understand how to respond in the event of an actual  
25 emergency on school property or at a school event. The  
26 drill may include:

27 (1) Allowing school **[personnel]** **employees** to respond  
28 to the simulated emergency in whatever way they have been  
29 trained or informed; and

30 (2) Allowing school **[personnel]** **employees** to attempt  
31 and implement new methods of responding to the simulated  
32 emergency based upon previously used unsuccessful methods of  
33 response.

34 4. All instructors for the program shall be certified  
35 by the department of public safety's peace officers  
36 standards training commission.

37 5. School districts and charter schools may consult  
38 and collaborate with law enforcement authorities, emergency  
39 response agencies, and other organizations and entities  
40 trained to deal with active shooters or potentially  
41 dangerous or armed intruders.

42           6. Public schools shall foster an environment in which  
43 students feel comfortable sharing information they have  
44 regarding a potentially threatening or dangerous situation  
45 with a responsible adult.

          590.205. 1. The POST commission shall establish  
2 minimum standards for school protection officer training  
3 instructors, training centers, and training programs.

4           2. The director shall develop and maintain a list of  
5 approved school protection officer training instructors,  
6 training centers, and training programs. **The director shall**  
7 **allow private companies to serve as training centers and**  
8 **operate training programs under this section.** The director  
9 shall not place any instructor, training center, or training  
10 program on its approved list unless such instructor,  
11 training center, or training program meets all of the POST  
12 commission requirements under this section and section  
13 590.200. The director shall make this approved list  
14 available to every school district in the state. The  
15 required training to become a school protection officer  
16 shall be provided by those firearm instructors, private and  
17 public, who have successfully completed a department of  
18 public safety POST certified law enforcement firearms  
19 instructor school.

20           3. Each person seeking entrance into a school  
21 protection officer training center or training program shall  
22 submit a fingerprint card and authorization for a criminal  
23 history background check to include the records of the  
24 Federal Bureau of Investigation to the training center or  
25 training program where such person is seeking entrance. The  
26 training center or training program shall cause a criminal  
27 history background check to be made and shall cause the  
28 resulting report to be forwarded to the school district

29 where the [elementary school teacher or administrator]  
30 **employee** is seeking to be designated as a school protection  
31 officer.

32 4. No person shall be admitted to a school protection  
33 officer training center or training program unless such  
34 person submits proof to the training center or training  
35 program that he or she has a valid concealed carry  
36 endorsement or permit.

37 5. A certificate of school protection officer training  
38 program completion may be issued to any applicant by any  
39 approved school protection officer training instructor. On  
40 the certificate of program completion the approved school  
41 protection officer training instructor shall affirm that the  
42 individual receiving instruction has taken and passed a  
43 school protection officer training program that meets the  
44 requirements of this section and section 590.200 and  
45 indicate whether the individual has a valid concealed carry  
46 endorsement or permit. The instructor shall also provide a  
47 copy of such certificate to the director of the department  
48 of public safety.

49 **6. The POST commission shall establish requirements**  
50 **for the continuing education of all school protection**  
51 **officers. All school protection officers shall annually**  
52 **receive twenty hours of firearms skill development training.**

53 **7. At least two times each year, all school protection**  
54 **officers shall participate in a joint training on school**  
55 **protection with a local law enforcement agency.**

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